

**LAKE COUNTY PLANNING BOARD**  
**June 14, 2017**  
**Lake County Courthouse, Large Conference Room (Rm 316)**  
**Meeting Minutes**

**MEMBERS PRESENT:** Steve Rosso, John Fleming, Sigurd Jensen, Rick Cothorn, Frank Mutch, Lee Perrin, Dave Goss

**STAFF PRESENT:** Jacob Feistner, Lita Fonda, Wally Congdon

**CONSULTANT:** Joel Nelson of Land Solutions

Steve Rosso called the meeting to order at 7:03 pm.

**Growth Policy Update: Goals and Objectives Workshop (7:03 pm)**

The consultant Joel Nelson overviewed what had been done so far and presented the memorandum from Land Solutions and the draft goals and objectives being reviewed by the Commissioners. (See attachments to minutes in the June 2017 meeting file for memo and draft.) The memo included some definitions from Land Solutions, not state law, which were intended to give direction while moving forward.

Lee asked who used the Growth Policy. Joel replied this was used by County Staff, Commissioners, Planning Board and grant applicants. He wasn't sure how much local businesses would use it. Economic development agencies would. Lee pointed to one of the first key issues of inadequate housing for a lot of people in Lake County. Rental companies and developers who were looking to build suitable types of housing for the income of people in Lake County might look for information and those wanting to start a business in the county who were looking for how to best do that to satisfy the community and be profitable. Joel said the primary user would be the County.

Wally said it was a non-regulatory document on its own and was not a regulation. A number of things went hand in hand with it, including certain rules such as subdivision and zoning types of considerations. The implementation and the rules had to be in a manner that was consistent with that policy. It was previously called a comprehensive plan. It was a consistency document for those regulations. It was also a consistency document for federal planning. For example, when the BLM, US Fish & Wildlife Service or US Forest Service planned, each federal agency had to review to some extent on what the local governmental plans were. The federal plan, in terms of what it was trying to do, had to be consistent to the extent legally possible with the local plan. Various funding improvements were prioritized for installation in various communities, counties and states based on what the plans said they were doing. If you needed federal grant money for your utilities to do that, if your plan provided for it and the County was committed to doing it, it upped your priority and helped you get the money. So it was also a prioritization document for uses like that. Using it was required to make decisions, to adopt and implement regulations and it was used by other agencies for consistency and also used to prioritize other funds. The biggest [private] users were probably surveyors, land development companies, et cetera, and contractors and builders, especially road contractor companies. If there was a priority list for your schedule,

they could bid on that every year and see it was a priority. A lot of uses for the document were out there. It was also an educational document, to look at what the situation really was. For instance, if you said housing was a big issue, there was a way to write it so it was educational about housing and what type there might be too much of and what might you want to encourage. This was the policy document that helped you have the tool box to do it. He mentioned the Planning Board functioned to put in the time and pay attention to detail appropriately with the reason to do it right. The information that needed to go in this was the stuff that said how we describe ourselves, how to say where we are, how we pick where we're going and do it right.

Lastly, besides an education, this document also could lay out a tool kit. There wasn't just one way to do it. If you identified 8 different ways to get there, that was fine. The Planning Board considered these tools when reviewing something like a dock. They had the tools to give options and alternatives to the people using the toolbox.

The document did all those things if they just put in the time to make the document do it.

Lee asked if the state approved this document. Wally explained it was County-approved and gave history. Steve added that there were many uses for this document, which depended on the users assuming it reflected what the County population wanted. If it didn't have input from a diverse group of the County then people wouldn't use it. It wouldn't really reflect what people wanted. That was an important thing that would make this useful. If they got as much public input as they could, it would accurately reflect what the people wanted. Businesses would decide how to grow or locate their business or maybe what kind of business they wanted to focus on because they could find out from this document what the community wanted. If the end result was wrong and didn't reflect what the community wanted, they wouldn't look at it.

John said in the housing part in 1.1.6, Mission Mountain Enterprises was not included. They did residential services for handicapped people, which seemed to fit in. They might like to be interviewed. Whitney Cantlon was the contact.

Steve noted when he compared the draft goals and objectives to the 2003 Growth Policy, there were drastic differences. The 2003 policy had 40 goals compared to 12 in this draft. Was the new policy to be formulated differently or were more key issues coming? Joel said he compared other recent growth policies from other counties. The 2003 policy had a lot of goals and objectives in comparison to the typical 15 to 18 goals and roughly 140 objectives versus 36 to 40. The objectives of the 2003 policy were more comparable to the actions and were broken into six main chapters with a lot of crossover. Instead of grouping into those 6 categories, he went through and had more general goals. Many of the existing goals were more like objectives of other growth policies that they'd worked on. He narrowed it down to a more manageable number of goals. There was a lot of cross-over. He wasn't sure how the document would be organized. For working purposes, to try to address the major key issues, he inserted some goals that would apply and hopefully they wouldn't miss things as they got more specific through the objectives and the actions.

Steve checked that they would entertain more key issues if the Planning Board came up with them or discuss how they fit into an existing key issue. At some point it would be helpful to

have some kind of outline of how they expected this policy to be organized so the Board could see how these things fit among that organization. Joel wasn't sure how it would be organized yet. He envisioned it would be different than the current one.

Wally clarified that Joel was the scrivener for much of this process, where he tried to summarize stuff, provide a direction, sort stuff and try to make sense of it. Who guided the bus in terms of what the contents would be were the public comments, the Planning Board and the Commissioners. How it got written down, summarized and organized fell to Joel, in part. Steve said the research that backed up some of the assumptions also fell to Joel and his company. He would compile the supporting research and data. Joel pointed to the existing conditions, trends and projections report, which had been compiled by Land Solutions. The Commissioners would look at this more closely before it was put on the website. It was the facts compiled to date.

John checked that this data was used to select goals. Joel said they got a lot of goals from public feedback. They needed some sort of facts to put out to the public to get that feedback. Frank asked if the report was footnoted to find original sources, since much looked like opinion. Joel referred to twelve end note references. He listed a number of land use items where data on current conditions was pulled from a variety of sources. There would be a lot more information in the [full] growth policy and they weren't near that draft. They were still figuring out what information was out there and where they could get more information.

With regards to how a business used this document, Frank said a lot of housing was subsidized. A business could get a better loan, grant or whatever to afford construction because most of the rents were far below the investment of the current construction cost.

Steve commented on key issue statement #1. They did need to see the justifying data in the final policy. Specifically he referred to rate of increases in rents and housing, rates of increases in wages and some comparison between those that could justify some of the first statements. Some kind of data showing more young people were leaving than arriving could be included. People wished their kids could stay in the area, which was great for kids that wanted to do that. Kids that wanted to explore and see other parts of the country or the world should feel comfortable doing that. As a result, young people from other places needed to be attracted to come here and start businesses and their lives. That could be an important part of the description here and justification for issue #1.

Steve suggested adding the word 'unnecessary' to the comment in 1.1.4 before 'regulatory barriers'. Some regulations were needed to provide good quality construction and so forth. To cut regulations just for the sake of cutting regulations would cause problems. A possible objective to add would be to consider other costs of housing. When deciding the real costs of housing, that included the effects of property taxes, insurance costs which were often related to the local fire departments and development of rural fire districts and so forth, and transportation costs. Frank added the costs of utilities. Lee asked about the impact of summer tourists on housing. His property manager for a rental property told him there were a lot of people who wanted to rent for just a few months in the summer. Did that drive up the costs for the year-round people? Joel said that was an issue.

Frank saw conflict between County and Tribal housing policies. He understood the Tribe's position to be that they didn't want to encourage the growth of the population on the Reservation. To clarify, this document should state somewhere that [the Growth Policy] was Lake County government policy. He described that the Red Lion owners bought houses in Polson just to try to house their own staff. That work force was hurting for affordable housing.

Steve asked if 'when' was supposed to be 'where' in 1.1.2. Joel responded it meant in circumstances that potential impacts were minimal like during a development review. It could be either, based on the circumstances.

Rick asked if they should address or note issues about VRBO's (Vacation Rental By Owner) and short-term rentals with regard to housing. Joel thought it had been in the draft but it might have been removed as not ready to go yet. Joel noted that different zoning districts dealt with this differently. His big thought was to make sure they were cognizant of what they were doing and that they asked this question when updating zoning regulations. Jacob said that there was no doubt that VRBO's were trending up in Lake County. Structures that were previously rentals were becoming vacation rentals. People were using that to pay their taxes to survive. Wally talked about an article in the Missoulian regarding Whitefish Lake and taxation, which was the same issue Lake County had with Trust land and taxation with a different source but the same result and symptoms, and that question needed to be addressed.

John checked on how these were differentiated from motel rentals. Joel explained the County usually referred to these as short-term public accommodations. Steve mentioned in Flathead County a problem arose where you could only have 1 renter per month even if it was only for a weekend. Frank thought this was a prime example of unnecessary regulations and caused the rental market to increase in cost. He didn't see the problem with renting property. John said the problem was you were taking a neighborhood or a building and it was a very different lifestyle when you had some people who were short-term renters with parties moving in and out versus those who were private owners. Frank questioned if that was the government's function. He saw conflict. Steve thought it was a difficult line to draw. People who were against short-term rentals would say they bought a house 20 years ago in a residential neighborhood and not in a business neighborhood with hotels and motels because they didn't want that kind of environment to live in. They wanted a neighborhood where the neighbors were known and the same for long periods of time, and they had some kind of a community-neighborhood kind of relationship with their neighbors. That was why they would be against somebody next door being allowed to change the renter every night.

The other problem with it as Steve understood was if you rented for a night or two to each person, your total income for the month went way up. You could rent for short-term for a lot more money than you could rent longer term. Because of the opportunity there, a lot of rental houses in Flathead County got taken off the long-term rental market. That caused the smaller number of long-term rental properties to have to fill a much higher demand and those prices went up. This was part of the affordable housing issue. That was another problem that had to be considered with short-term/long-term rentals. Some regulation [was needed] to control it if you were going to allow the neighbors to have what they originally bought, which was a house in a

quiet neighborhood. If you were going to try to control affordable housing, you needed to have some control on short-term rentals.

Dave said they used the term ‘affordable housing’ a lot. Were they going to make an effort to define what affordable housing here was? It was a relative term. Compared to where he was from, this was affordable housing. Were they going to come up with a definition or an index of what was affordable? Not only would they know what the goal was, they might also somehow measure each year as they implemented some of these things so they would know when they were close to that goal. He talked about comparing housing cost to family income. Some kind of index would help them identify where the affordable housing for the area was and also an index or something to measure the movement towards the goal.

Joel agreed. Definitions of affordable housing and workforce housing were needed. John asked if it would help to have a statement about housing that met the needs of all income groups. Dave thought you’d have an affordability for the purchase of homes and another might be for the rental of homes. Maybe one of the actions steps would be coming up with ways to define what affordable housing was, how to come up with that and how to measure the actions against that.

Regarding vacation rentals in larger cities, Dave said it was controversial in some areas and as much as 10% of the rental market had been taken off because of VRBO. Another issue in some states was the question of fairness. If you rented from a hotel, you paid an occupancy tax in some places but you didn’t if you rented from an owner. That impacted tax revenue as well.

Wally noted low income housing was plentiful if you were Tribal and gave examples. The issue wasn’t just the price and number. He talked about exclusionary zoning. The number of people who needed affordable housing was a number. What was available for different parts of those numbers was completely different. That had been a hard exercise to take on and sort out. [The Board] was right in that they should find the number, and that applied to employment as well. He pointed to 17 jobs listed as available in a recent local paper. Fifteen of the 17 were Tribal preference only. The Commissioners said they needed to be accurate in what they were saying and they were trying to get the accurate numbers. It might not bear fruit but the number one revenue source and employer in Lake County was the Tribe, with a budget of \$187, 400,000. Lake County’s budget was \$20,700,000. The County provided services to everyone. The Tribes provided [inaudible] services to 7000. The issue of numbers was coming up. The seven reservations in Montana got more money from the new gas tax than all 56 counties combined. It was now hard to buy a place on the lake, given the taxes. Frank commented that if you bought a house in Polson for \$200,000 you’d be lucky to get \$700 in rent from it. He thought affordable housing had to be subsidized.

On key issue 2 on culture and quality of life, Steve suggested adding some comment as to why this was a key issue and made a difference to residents that they had fabulous natural and cultural amenities. At the end of the first sentence of the issue statement, ‘that provide a base for our economy and enhance our quality of life’ could be added. Especially in Lake County, people really appreciated outdoor recreation and it was important to the quality of life here.

Lee commented on 2.1.1. He wasn't clear how that fit in to quality of life. Rick said people who were addicted would impact other people in the environment at one level or another. Lee didn't disagree; it seemed like it would be on the police agenda. Rick said if people didn't feel comfortable, they might not be excited to develop. He wasn't saying the crime problem was out of control compared to other places. There were significant meth problems in Lake County, based on what he read and conversations with the law enforcement community. Lee asked what their action for that would be, as a County Planning staff. Rick said the whole country was debating. He didn't think the 'safe haven' arena as used in Seattle was the direction to go. It was like giving booze to an alcohol treatment center. He was in favor of treatment rather than being a haven for substance abuse. The jail here was stressed. You couldn't get into jail with a gross misdemeanor; you had to be a serious felon to get in there. He thought they were under a consent decree to improve and modernize and develop a different [jail] here. He didn't have the answer although Seattle's answer wasn't working.

Jacob said some of the goals and objectives were based on comments received during interviews with different groups of people. Some comments he received touched on creating more facilities like the Lake House up by the hospital, which dealt with mental health. Multiple people felt that having more facilities like that to help people deal with mental health or substance abuse would help improve the quality of life because they could deal with the issue before it reached the courts. That might be the direction this was coming from. Rick asked if this County has a drug court. Joel thought it was being developed. Rick observed it was generally a good court.

Joel described an interview with Steve Todd, a CEO at the Ronan hospital, who mentioned when he tried to attract new employees, they competed with communities like Sandpoint where there were fewer problems than in Lake County. This was an issue that came up for them when trying to attract new employees to come here.

Frank asked where things were at with getting a federal facility and federal jurisdiction here. He referred to conflict between the two governing bodies. He mentioned expanding the jail where lots of the users were non-taxpaying. Rick asked about the Tribal representative. They needed Tribal input. Frank said if they wanted to encourage cooperation, maybe it fit in another section to address this issue. It reflected on the other things that went on here: quality of life, population growth and so forth. He also commented on 2.1.5. If they wanted to encourage making people live in towns, they should also encourage allowing people to live in rural areas and have equal encouragement for both sides. He didn't know of people who moved to this area to live in a high-rise and ride a bicycle in the winter and didn't think this goal conformed to the norm of the culture of the state. He thought it was imposed, was a conspiracy and wasn't a governmental role. Rick said the pragmatic aspects were that the number of bikes he'd seen maybe 15 bikes on Highway 93. It wasn't pragmatic to ride a 2-wheeled bike on ice. Frank thought bike trails were great especially along highways and got a lot more use that he would have thought. He thought the Missoula zoning requirements for bike racks didn't make sense.

Steve thought they had to look at what aspects needed incentive and which did not. They didn't need an incentive to have people live in the rural areas. That wasn't an issue. Those people generally didn't expect to ride to the store on a bicycle. With the affordable housing issue, they were generally talking about people who wanted to live close to work and didn't want to use

their cars much and providing a friendlier environment for them to do transportation less expensively. Frank viewed affordable housing as an issue where people were forced to live in urban areas in multiple-story buildings. He didn't consider that to be a quality-of-life enhancing experience and felt most of those people wanted out of there. He thought it was a separate issue. He objected to that whole thing and thought it should be struck. Joel suggested it might be better under the housing section.

Rick observed the largest employer in the county was the Tribe. They were centralized in Pablo. That was Tribal housing and Tribal employees. They had no Tribal representation here. Lita noted the Tribal representative to the Board had to go out of town. Rick recognized that. Maybe they needed more than one person given the volume of impact that the Tribe had. Steve pointed to the key issue pertaining to local governance and leadership. Maybe working with the Tribe should be listed as an objective under every key issue. Dave reminded that no one of these things by itself would be the answer to that particular problem. They were combined into the toolbox. For example, a lot of people might want to live on 5 acres of land but one of the biggest groups moving into downtown Seattle were retired people who wanted to be closer to the cultural impacts and didn't want to worry about mowing lawns or shoveling snow. Everybody had a little different lifestyle. You couldn't take these issues by themselves. Each one addressed a different segment of the population and a different issue to deal with. Frank said the answer to that was Missoula or Kalispell rather than Polson for things like football or basketball games or good music.

For the economic development section (key issue 3), John mentioned economic development went hand in hand with education. They needed a statement of support for the schools. Steve agreed. Young people who were evaluating whether to move here would want a nice living environment but would also be very interested in the quality of the schools. Frank asked about local competitive advantages. Steve listed the natural environment and the outdoor recreation opportunities. Dave said you had to look at the sustainable and unique competitive advantages, which were what you had that no one else had or could get, such as Flathead Lake.

Lee said to go along with that, the growth policy contained a lot of stuff about developing recreational opportunities. They needed to look at maintaining or developing new recreational facilities around the lake. He pointed to the people who came here in the summer to utilize the lake and spent money to do so. He pointed to 2.2.3 and reducing invasive species. There were check stations now to inspect boats. It was a big deal to keep mussels out and to keep that water clean. That was what people came here for. Referring to sustainable advantages, if a competitive advantage was having Flathead Lake here, its value depended on how clean the water was, what kind of public access there was and opportunities to use the lake. They had to have a policy that showed they were going to maintain those advantages over a long period of time.

Frank said on the point under recreational facilities, there was a marina on Finley Point at one time offering boat storage, maintenance, refueling, sewer dump and so forth. He didn't know how many of those facilities were on the lake and guessed that it was half of what it used to be. He thought zoning prevented those kinds of developments. Steve thought economy closed a lot of those places. Frank said those kinds of businesses weren't sustainable without subsidy. He

pointed to Borchers. Now you couldn't put one of those on Finley Point. He thought there was a need for them. The state park violated zoning regulations.

Steve thought it was important to recognize that [the County] couldn't grow and be successful if all they did was sell things locally to one another. They needed to recognize that businesses exporting their product out of the county were ones that provided growth for the county. It was an important thing to recognize if they were going to try to create incentives for businesses. That might go under goal 3.3 for extra support for businesses that provide a product they exported out of the county. He didn't know how to do that. Rick said he wasn't opposed to incentivizing business by making it a place they'd want to do business. Steve said maybe it was to enhance some of the facilities that they'd need, such as efficient shipping.

Frank said they could make some general statement to aggressively support primary businesses or industries. He wanted to see a strong support of agriculture, which was what was left in this state as a primary industry. He thought local and state government wanted to kill local agriculture. If they were after the highest tax revenue, that would be development. Sigurd observed they needed the money to pay for the two thirds that didn't pay. Steve said agriculture was a good example of an industry that produced product for export.

Wally gave some history and said the language for economic development needed to simply be to encourage the resources they had and where possible, provide an opportunity for value-added product that could be sold elsewhere to generate income. That was John's education comment. It wasn't just having a quality education. They also needed to specify that they wanted kids to have the opportunity.

Dave commented further on economic development. With the quality of life from an economic development standpoint, he said not to underestimate transfer payments and retirement income. Those were new dollars coming into the economy. For that matter, the Tribe was bringing in a lot of new income. The current issue was the distribution of that income. That was an elephant in the room that needed to be addressed. In some other parts of the country, they had become very successful in cooperative agreements between Tribal governments and the county. He gave Pierce County (containing Tacoma, WA) where the Tribe was the second-largest employer in Pierce County. Referring to education, another element to keep on track was the education and training of workforce needed by those companies that economic development efforts were trying to attract. It didn't work to attract a business that would employ 200 people if you didn't have the 200 people that business needed. If you had to import them, it brought more people and more money to the area but it didn't do anything for your kids who were leaving. Wally said to take care of what you had. Dave said that most economic growth that occurred in a community occurred because of the expansion of what was already there.

The group moved on to key issue 4 dealing with local governance and leadership. Steve commented they'd discussed this with some of the other issues. He read 4.1.1 and compared it to the portion of the 2003 policy where opportunities of cooperation with state agencies regarding state parks and recreation was mentioned. He thought something could be added in there along those lines for cooperation with state agencies such as DNRC and Fish, Wildlife and Parks. He didn't know if there were other state agencies that were landowners who might help with an

overall improvement of outdoor recreation for example, if they coordinated and saw how county-owned opportunities tied in with those existing state entities. He thought some comment possibly in 4.2 about avoidance of duplication of services and authority would be good for the end user and for more efficient government.

Sigurd observed if you didn't like what the County said you needed, you could go to the Tribe, who would say you didn't need that. He saw that happening at the Conservation Board. Several people agreed there were confusion and a problem there. Wally talked about people who would shop for the answer they wanted and pit the regulatory bodies who had the right idea against each other. There were people who didn't want to play by the rules and didn't care about the lake.

Frank suggested inserting 'and improved two-way' regarding communication in 4.1.2. Somewhere at the end he thought they should pursue, encourage and enhance the study of consolidation of government functions and services to the extent feasible. He thought services such as the police force and road maintenance should be consolidated, referring to the town services and cooperation with the Tribes and their job corps programs. Rick thought that was a great point and offered insight into that. He was astounded with the ongoing personnel issues in the little [town] police departments. The Sheriff should have contracts with these cities. You were paying double for dept. heads and there was redundancy throughout the County. The cities would benefit by lowering their exposure. They were concerned about losing their Chief and local control, which was not the case. It was ludicrous that they had part-time police departments. The turnovers and personnel issues were embarrassing for the cities. Frank pointed to Clark County, containing Las Vegas, which had one police force for the County.

John said 4.1.3 would make more sense to replace 'with' with 'between the County and', or even better, 'among the County and'. John and Frank asked for clarity on the meaning of 4.1.1. Steve thought this went back to what Wally talked about previously where federal management had to respect the growth policy. By being involved, the County enforced that kind of thing. Frank suggested adding 'improving and maintaining coordination and cooperation with all government agencies' after 'lands by'.

Wally talked about how Lake County got cooperator status recently with several federal plans and big benefits that this brought for the County. In terms of making their plan fit the County plan and considering the County, Lake County was there. Cooperating status meant you were there from the beginning at the scoping meetings. You got to write the alternatives, provide information and review alternatives. The County wasn't on the menu; they were at the table and in the game. He mentioned an experienced planner/lawyer that the County hired to be at the table at the meetings in Portland. He suggested she might do presentation for the Planning Board sometime. The Growth Policy partly drove that bus. Discussion returned to 4.1.1. Wally offered to work on that one for them. Dave suggested they were talking about management. Wally gave a rewording of 4.1.1 that read 'Become active partners in planning for and developing alternatives for management of federal lands by acquiring and maintaining coordinating and cooperating agency status.'

For the goal in 5.1, Steve expanded the wording to say, ‘Respect private property rights of landowners and neighbors.’ Both sides saw that issue without recognizing the other side. It was important to point out there were private property rights that landowners had and private property rights that neighbors had. Frank suggested saying all. Steve thought the words landowners and neighbors helped people to understand there were two sides.

Steve also suggested expanding 5.1.5 by having the County set a good example of land management. For example, people might struggle with weeds while the right-of-way abundantly produced them. It would help if the County managed their property by setting a good example. In 5.4.2, Steve added ‘downstream land owners, water users and’ after ‘them for’.

In response to ‘downstream neighbors’, Rick gave an example in change of water cost and so forth. Wally referred to the Columbia Basin Plan, fish, water temperature and flushing fish downstream. He explained the lower states didn’t want the County there because the lower states needed what they had to meet the requirements they were under from the EPA etcetera. Steve said that even on a very local scale it was an issue in some locations. He talked about irrigation water users having to consider the water users downstream.

Frank suggested adding ‘and unnecessary regulations’ after ‘redundancies’ in 5.3.1. Either separately or in 5.3.2, he suggested including something like pursuing an aggressive public involve/inform program relating to land use issues. Currently it wasn’t good enough to reach everyone who was impacted by these decisions. He thought they should go out with the tax notices. Steve agreed that encouraging public participation during the process of creating regulations was extremely important. Once made, they needed to educate people and the information needed to be easily accessible.

Frank also gave a strong vote to 5.4.1 to repeal the Density Map & Regulations (DMR). What was useable should be incorporated into the growth policy, which was guidance. He said there was no state law authorizing a density map and regulations. Steve said he would look for some actions in the growth policy that helped them meet the objectives of protecting the environment, protecting wildlife and providing efficient services if they were talking about those things, that they did have some actions that helped to meet those objectives. One of the actions in the old regulations was the DMR to achieve the objectives of protecting the environment, wildlife and providing efficient county services.

Steve thought ‘repeal and replace’ was something they might want to say here, and maybe the two 5.4.1 versions given could be made one to consider repealing the DMR and replacing it with another tool to protect the environment and wildlife and provide efficient delivery of services. He didn’t mind repealing the DMR as long as they replaced it with something that protected those things. He didn’t know what the tool would be; that was one of the challenges. They might find out that having a better, modified DMR was the tool that did it. Frank thought the growth policy had room to incorporate that. Steve said the growth policy produced goals and objectives. To achieve those objectives, there had to be actions. A lot of those actions were regulations. Ending with something in the growth policy might not achieve their objectives. Frank didn’t see where it squared with legislative direction and the laws as he saw them. He thought the County civil attorney said it would be hard to defend.

Steve explained that wasn't because the DMR was illegal. It was because [the County] didn't provide what they said they were going to do to make it [work]. Wally affirmed this. He liked the concept of what Steve was saying. It was a step in the right direction to say repeal. It was zoning based on density not on what it did. If you repealed and replaced it with a better toolkit that they could refine better, it was an excellent idea. It was defensible and got them there. It meant they could move ahead and hopefully then they got better developments that had some subdivision that people wanted with better amenity values, better wildlife preservation, better opportunity for capital improvements and those kind of things. It would be great.

Frank thought the key for working with the Tribes was they wanted consistent standards in land use planning. John said consistency was why they moved towards the DMR, so the developers could see some consistency. They hadn't had it here. He gave some history. There was no predictability and [the County] needed that somewhere. Steve gave the example of Plum Creek forming the Lake Mary Ronan zoning district on the land they owned so potential buyers would know what was allowed for development there. It was a challenge to market otherwise.

Wally asked if Dave would have the time to find out from Pierce County (Washington) what MOU's that county had with the local tribes. He thought the Board would be receptive to seeing what was there. He reiterated that he would have the lawyer who attended the Portland meetings come talk to the Board. Rick asked if the Tribe had a policy or position paper that they had authored with regard to growth management. Wally replied no. They had a growth plan but his requests for a copy had gone unfulfilled. They also had an ordinance, which they also hadn't sent. He found a copy of their 2006 ordinance in a Missoula law library but nothing more recent. He would get it if he could but had gotten nowhere so far.

#### **MINUTES - Deferred**

#### **OTHER BUSINESS**

Planning Intern Clint Evenson introduced himself at the request of the Board.

**Steve Rosso, chair, adjourned the meeting. (9:08 pm)**